

Whistle-blowing procedure

Balfour Junior Academy



Approved by the Local Governing Body on 26th January 2021

Last reviewed: January 2021

Next review due by: September 2021

This procedure should be read in conjunction with the FPTA Whistle-blowing policy, which can be found at <https://fptaacademies.org.uk/about-the-trust/policies/>

1. Procedure

1.1 When raising concerns, individuals will express them in writing to the headteacher.

1.2. If an individual is raising a concern about the headteacher, they should express their concerns in writing to the Chair of Governors, Mr. G Perfect and the FPTA Academies Trust's named Trustee with responsibility for Whistle-blowing, Mr. B Streets

1.3. When individuals raise their concern, they will include the following information as far as possible:

- The background and history of the concern
- Any relevant names, dates and places
- The reasons for the concern

1.4. The school encourages individuals to let their identity be known when they raise concerns, as anonymous concerns can be challenging to investigate.

1.5. Once an individual has raised a concern, the school will be responsible for investigating it.

1.6. In certain instances, it may be appropriate for the individual to raise the concern with an outside agency, e.g. the police, depending on the severity of the concern. Equally, it may be appropriate for the individual to request that their trade union raises the matter.

1.7. If a member of staff feels they should report a concern to the ESFA, they should use the online contact form.

1.8. The school, or the appropriate external agency, will acknowledge receipt of a disclosure but, unless additional information is required, will not contact or engage in dialogue with the whistleblower, as this may undermine the legitimacy of the investigation outcome.

2. Next steps

2.1. The headteacher will write to the individual within 10 working days of the initial meeting to confirm that the concern has been received, as well as to indicate proposals for dealing with the matter.

2.2. The initial stage will be an interview with the whistleblower, and then an assessment of further action will be discussed. During this initial stage, the headteacher will establish if:

- There are grounds for a concern and that it is genuine.
- The concern was raised in accordance with the whistle-blowing policy.

2.3. During the initial interview, the headteacher will request the individual puts their concern in writing, if they have not already done so. The headteacher will write a summary of the concern if the individual is unable to put it in writing.

2.4. The headteacher will explain the following to anybody raising a concern:

- How they will communicate with the complainant throughout the process. It should be noted, the need for confidentiality may prevent the school giving the complainant specific details of any necessary investigation or any necessary disciplinary action taken as a result of the concern.
- That the complainant's identity will be kept confidential from the alleged wrongdoer.
- That the school will do everything in its power to protect the complainant from discrimination.

- That if the concern is genuine, even if the concern is not confirmed, no disciplinary action will be taken against the complainant.
- If clear evidence is uncovered that the complainant's concern is malicious or unfounded, disciplinary action may be brought against them.

2.5. If an investigation is carried out, the whistleblower will be informed of the final outcome.

2.6. A record will be kept of the seriousness of the issues raised and the credibility of the concern. All records will be kept confidential and will be stored in line with the school's Records Management Policy.

2.7. It may be possible for the concern to be resolved by simply agreeing the necessary action or explaining procedures to the alleged wrongdoer; however, depending on the severity and nature of the concern, it may:

- Be investigated by management, an internal audit or through the disciplinary process.
- Be referred to the police or an external auditor.
- Form the subject of an independent inquiry.

2.8. If the investigating officer needs to talk to the whistleblower, they are permitted to be accompanied by a trade union representative, a professional association representative, a friend or a fellow member of staff not involved in the area of work that the concern relates to. This person will provide support only and will not be allowed to become involved in the proceedings.

2.9. A record will be made of the nature and outcome of the concern. The purpose of this is to ensure that a central record is kept which can be cross-referenced with other complaints to monitor any patterns of concern across the school and to assist in monitoring the procedure.

2.10. The whistleblower will be informed of the results of the investigation, and any action that is proposed will be subject to third party rights. Where action is not taken, the individual will be given an explanation.

3. What the school asks of you

3.1. The purpose of this policy is to enable individuals to raise concerns in confidence, without any fear of reprisal; therefore, it is imperative that whistleblowers:

- Do not take the concern outside the school, e.g. gossiping.
- Declare any personal interest in the matter, as the policy is designed to be used in the interest of the public and not for individual matters.

4. Appeal process

4.1. If no action is to be taken and/or the individual is not satisfied with the way the matter has been handled, they can make a complaint under the Complaints Procedure.

5. Unfair treatment

5.1. An individual can take a case to an employment tribunal if they feel that they have been treated unfairly as a result of whistleblowing.

5.2. Further information can be sought from the Citizen's Advice Bureau, the whistleblowing charity Protect, or from an individual's trade union. The Protect website can be accessed at www.protect-advice.org.uk

5.3. Any claims of unfair dismissal needs be made within three months of the investigation ending.